

PROB 12C
(7/93)Report Date: February 11, 2011
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

Eastern District of Washington

FEB 23 2011

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Franklin Demack Scribner

Case Number: 2:02CR02156-001 and
2:08CR02126-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 03/05/2003 2:02CR02156-001
10/11/2007 2:08CR02126-001Original Offense: Ct. 2: Felon in Possession of a Firearm, 18 U.S.C. §§ 922(g) and 924(a)(2)
2:02CR02156-001 Ct. 3: Possession of Unregistered Firearm 26 U.S.C. §§ 5841, 5861(d), and 5871

2:08CR02156-001 Ct. 1: Possessing Contraband in Prison, 18 U.S.C. §§ 1791(a)(2), (b)(3)

Original Sentence: Prison - 51 Months; Type of Supervision: Supervised Release
TSR - 36 MonthsPrison - 18 Months;
TSR - 36 Months

Asst. U.S. Attorney: Alexander Carl Ekstrom

Date Supervision Commenced: 9/21/2009

Defense Attorney: Rick Hoffman

Date Supervision Expires: 7/20/2011

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Special Condition #16:** The defendant shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. The defendant shall contribute to the cost of treatment according to defendant's ability. Defendant shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

Supporting Evidence: Mr. Scribner failed to attend drug and alcohol group at Triumph Treatment Services (Triumph) on January 17, 18, 19, 20, 25, 26, 27, and 31, 2011.

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According to Triumph, Mr. Scribner enrolled in aftercare services and commenced his drug and alcohol treatment program on January 10, 2011. Mr. Scribner has only attended group on 4 out of 13 group sessions. On January 31, 2011, Mr. Scribner was terminated and discharged for failure to comply with the treatment program.

- 2 **Mandatory Condition #6:** If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the schedule of payments set forth in the criminal monetary penalties sheet of this judgment.

Supporting Evidence: Mr. Scribner has failed to make regular payments toward his Court ordered special assessment.

Mr. Scribner's last payment of \$10 was made on September 2, 2010.

- 3 **Special Condition #16:** Defendant shall participate in a GED program as approved by the supervising probation officer and successfully obtain a GED.

Supporting Evidence: Mr. Scribner has failed to enroll in a GED program as of February 10, 2011.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

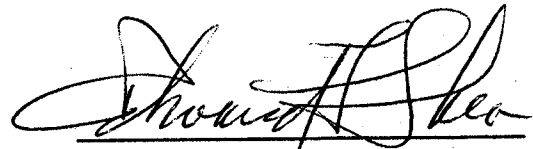
Executed on: 02/11/2011

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- [] No Action
[] The Issuance of a Warrant
☒ The Issuance of a Summons
[] Other



Signature of Judicial Officer

2/23/11
Date